

SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 14 February 2017

PRESENT: Councillors Peter Rippon (Chair), Ian Auckland, David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Dianne Hurst, Alan Law, Zahira Naz, Joe Otten, Peter Price, Bob Pullin (Substitute Member) and Chris Rosling-Josephs

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Roger Davison and Councillor Bob Pullin attended as the duly appointed substitute. Apologies for absence were also received from Councillors Dawn Dale and Zoe Sykes, but no substitute Members were appointed.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the press and public.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the previous meeting of the Committee, held on 24 January 2017, were approved as a correct record.

5. SHEFFIELD CONSERVATION ADVISORY GROUP

5.1 The Committee received and noted the minutes of the meeting of the Sheffield Conservation Advisory Group held on 13 December 2016 and 17 January 2017.

6. SITE VISIT

6.1 **RESOLVED:** That the Interim Head of Planning, in liaison with a Co-Chair, be authorised to make arrangements for a site visit in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

7. OBJECTION TO TREE PRESERVATION ORDER 412: LAND AT HASTINGS ROAD AND ABBEYDALE ROAD

7.1 The Interim Head of Planning submitted a report outlining a response to an objection received to Tree Preservation Order No. 412 which had been made in respect of trees situated on land at Hastings Road and Abbeydale Road. The

report stated that Planning Permission Case No. 13/04204/RG3 had been granted for a housing development at the site subject to a condition which stated that, unless otherwise indicated on the approved plans for the development, no tree, shrub or hedge shall be removed from the site or pruned without the prior written approval of the Local Planning Authority. The condition was intended to secure the retention and protection of the majority of the trees along the Hastings Road and Abbeydale Road highway boundaries, as well as several additional trees within the interior of the site. In addition to the Condition, following the interior land at the site being sold by the Council, the Order was made to ensure those trees would continue to be protected.

- 7.2 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out prior to serving the Order, which found them to be in good order and of significant amenity value to the local area.
- 7.3 The objection to the Tree Preservation Order was outlined and the officer's response to the objection was detailed in respect of the procedure to be undertaken to carry out work on trees covered by the Order and regarding trees T1 to T7 being included in the Order.
- 7.4 The Tree Preservation Order and the letter of objection were attached to the report now submitted.
- 7.5 **RESOLVED:** That, following consideration of the objection now reported, TPO No. 412 in respect of trees situated on land at Hastings Road and Abbeydale Road be confirmed unmodified.

8. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

- 8.1 **RESOLVED:** That (a) the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided, granted or refused as stated in the report to this Committee and as amended in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose;

(b) having (i) noted an additional representation from 'CycleSheffield' and the officer's response, as detailed in a supplementary report circulated at the meeting and (ii) heard an oral representation at the meeting from a local Ward Councillor objecting to the proposed development and from the applicant's representative supporting the proposed development, an application for planning permission for the demolition of an existing public house and a hot food takeaway and erection of a 16-storey student accommodation building comprising 38 x cluster flats and 29 x studio apartments, with associated cycle parking, landscaping and amenity space including games area, gym, cinema, library, common room and lounge area at the ground and lower ground floor levels at the site of 82 to 84 Winter Street (Case No. 16/03264/FUL) be granted, conditionally;

(c) an application for planning permission for the demolition of an existing garage and erection of a new dwellinghouse at land at the rear of 45 to 47 Rodney Hill, Occupation Lane, Loxley (Case No. 16/02627/FUL) be deferred pending a visit of inspection to the site;

(d) having (i) noted a correction to the report by officers in respect of the information provided within the sections concerning “The Scale and Massing” and “Key View Analysis”, as detailed in a supplementary report circulated at the meeting and (ii) heard an oral representation at the meeting from the applicant’s representative supporting the proposed development, an outline application for planning permission for the demolition of existing buildings and erection of buildings to form a mixed use development (maximum floor space of up to 140,000sq metres) comprising office (Class B1), residential (Class C3), hotel (Class C1) and retail and leisure (Classes A1, A2, A3, A4, A5, D1 and D2) uses, provision of public realm space and car parking accommodation (Outline application - all matters reserved except for the principal means of access to the site from the junction of Bridge Street/Corporation Street) at the development site bounded by Corporation Street/Bridge Street/West Bar (Case No. 16/02518/OUT) be granted, conditionally, subject to an amendment to Condition 38 by the addition of the words “for that hotel accommodation” prior to the words “has been implemented”, as detailed in the aforementioned supplementary report; and

(e) having noted that the Legal Agreement had been completed, an application for planning permission for the part retention and part change of use of an open space to residential land for the erection of 6 dwellinghouses, with associated car parking spaces (Resubmission of 13/02172/FUL) on land adjacent to 227 Southey Green Road (Case No. 13/04340/FUL) be granted, conditionally.

9. ENFORCEMENT OF PLANNING CONTROL: 369 TO 373 ABBEYDALE ROAD

9.1 The Interim Head of Planning submitted a report on her investigation into a breach of planning control in respect of the unauthorised metal canopy on the front of 369 to 373 Abbeydale Road. The report stated that Abbeydale Road had been targeted by the Council’s Planning Enforcement Team, with the aim of improving the general appearance of the area and that enforcement action had been taken in 2007, 2014 and 2015 to remove unauthorised canopies, and in 2012-16 to remove a number of illegal advertisements. On 1 July 2016 officers became aware of the erection of a metal canopy that had been attached to the front elevation of the property. Whilst the owner was given the opportunity to apply for planning permission for a traditional retractable canopy, the metal canopy had not been removed as requested and an application had not been submitted for the erection of a retractable canopy.

9.2 An assessment of the breach of planning control considered that the development had a detrimental effect on the visual amenities of the street scene and as such was contrary to Policies BE5 and S10 of the Unitary Development Plan.

9.3 **RESOLVED:** That (a) the Acting Director of Development Services or Interim Head of Planning be authorised to take all appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure

the removal of the unauthorised canopy at 369 to 373 Abbeydale Road; and

(b) the Interim Head of Planning, in liaison with a Co-Chair of this Committee, be authorised to vary the action in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

10. ENFORCEMENT OF PLANNING CONTROL: 12 CROYDON STREET

10.1 The Interim Head of Planning submitted a report on her investigation into a complaint concerning a breach of planning control in respect of the unauthorised rear extension at 12 Croydon Street. The report stated that the large extension benefitted from permitted development rights under the amendments to the General Permitted Development Order (GPDO), as it was a single-storey building and built within the 6m length limit, but the owner had failed to inform the Local Planning Authority prior to its construction. In an attempt to regularise the extension, the owner had submitted two retrospective planning applications which had been made invalid as insufficient information had been provided.

10.2 An assessment of the breach of planning control considered that the extension as built was considered to cause an unreasonable overbearing impact to the neighbouring houses at 10 and 14 Croydon Street, which was detrimental to the living conditions of those properties. It was also viewed that the side window opening compromised the privacy to number 14 Croydon Street and that the extension substantially reduced the size of the yard space. As such it was contrary to Policies within BE5 and H14 of the Unitary Development Plan.

10.3 **RESOLVED:** That (a) the Acting Director of Development Services or Interim Head of Planning be authorised to take all appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised extension at 12 Croydon Street; and

(b) the Interim Head of Planning, in liaison with a Co-Chair of this Committee, be authorised to vary the action in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

11. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

11.1 The Committee received and noted a report of the Interim Head of Planning detailing the planning appeals recently submitted to the Secretary of State.

12. DATE OF NEXT MEETING

12.1 It was noted that the next meeting of the Committee will be held at 2:00p.m. on Tuesday 7 March, 2017 at the Town Hall.